

### REMARKS

The Office Action dated January 29, 2004, has been received and carefully noted. The above amendments and following remarks are submitted as a full and complete response thereto. The specification and the drawings have been amended in response to informalities indicated in the above-cited Office Action. No new matter has been entered through these amendments. Claims 1-38 are respectfully submitted for consideration.

The specification was objected to because of several minor errors. Applicants have amended the specification to alleviate these minor errors. The drawings were also objected to because indicia was indicated as missing from Fig. 25 and spelling errors in Figs. 8 and 28. These informalities have been corrected through the enclosed Replacement Sheets containing Figs. 8, 25, 28 and 36, where the Replacement Sheet containing Fig. 36 contained a spelling error not pointed out in the Office Action. The Office Action also requested formal versions of Figs. 48-51, which are included in Replacement Sheets for those drawings. Reconsideration and withdrawal of the above objections are respectfully requested.

Claims 1-38 are pending in the above-cited application and have been examined. Claims 14-32 and 35-38 have been allowed. Claims 3-5, 7-9, 11 and 12 were objected to for being dependent on a rejected base claim, but containing allowable subject matter. Claims 1, 2, 6, 10, 13, 33 and 34 were rejected over prior art. Claims 1-38 remain pending and are again submitted for consideration.

Claims 1, 2, 6, 10, 33 and 34 were rejected under 35 USC § 103(a) as being unpatentable over “*reference U*” in view of *Ramelson et al.* (U.S. Patent No. 5,781,745). Claim 13 was rejected under 35 USC § 103(a) as being unpatentable over “*reference U*” in view of *Ramelson et al.* and *Mayer et al.* (U.S. Patent No. 6,611,495). The Office Action took the position that “*reference U*” disclosed all of the elements of the claimed invention, with the exception of “how each request and acknowledgement message has an identification bit string.” *Ramelson et al.* was cited as curing the deficiencies in “*reference U*”, and the Office Action took the position that it would have been obvious to a person of ordinary skill in the art to combine “*reference U*” and *Ramelson et al.* to yield the claimed invention. With respect to the rejection of claim 13, it was acknowledged that “*reference U*” and *Ramelson et al.* fail to disclose a retransmit timer and *Mayer et al.* was cited as curing this deficiency. Applicants respectfully submit that the presently pending claims recite subject matter which is neither disclosed nor suggested in the cited prior art.

Applicants respectfully assert that the above rejections are improper for at least the fact that “*reference U*” has not been established as a prior art reference. The single page copy of “*reference U*” contains no date, page citation or indication of publication. Additionally, while the PTO-892 indicates that “*reference U*” was being published in “Research Disclosure” on December 1, 1998, Applicants have not been able to verify such a journal nor any publication independently. Applicants respectfully assert that more must be proffered in the Office Action to support the position that “*reference U*” is

indeed a publication applicable under 35 U.S.C. §§ 102 & 103. For at least this reason, Applicants respectfully assert that the prior art rejections are improper and should be withdrawn. However, even if “*reference U*” was available as prior art, Applicants respectfully submit that the claims recite subject matter which is neither disclosed nor suggested by a combination of “*reference U*”, *Ramelson et al.* and/or *Mayer et al.*

Claim 1, from which claims 2-13, 33 and 34 depend, recites a method for controlling data flow across a link. The method includes the steps of transmitting a packet request message from a first station to a second station, determining if the packet request message is valid, transmitting a request acknowledge message from the second station to the first station and determining if the request acknowledge message is valid. The packet request message and the request acknowledge message each include a control bit string, an identification bit string, and at least one parity bit.

As discussed in the present specification, the present invention enables alternative flow control mechanisms to control traffic between respective network devices on the high-speed interface 261. In particular, the flow control logic 94 is configured to execute a modified flow control logic/methodology which is designed to be an easily implemented fault tolerant form of interface flow control. It is respectfully submitted that the prior art of “*reference U*”, *Ramelson et al.* and *Mayer et al.*, when viewed alone or when combined, fails to disclose or suggest the elements of any of the presently pending claims. Therefore, the prior art fails to provide the critical and unobvious advantages discussed above.

*“Reference U”* is directed to a request/reply loss detection system. A packet request message is sent and a packet acknowledgement message is sent from the receiver to the sender. Each message is disclosed as having a correlator field and a parity bit, where the process makes changes to those elements in order to check for lost messages. The rejection acknowledges that *“reference U”* fails to disclose that each request and acknowledgement message has an identification bit string. Because of this deficiency, *Ramelson et al.* is also cited.

*Ramelson et al.* is directed to a high speed communications bus. The Office Action cites Fig. 5 of that reference as disclosing the format of a packet. The Office alleges that the 6-bit source port ID field constitutes an identification bit string. The Office also alleges that the payload field is equivalent to a request or a acknowledge data code group. The Office also alleges that the packet header, taken together with the payload field, is equivalent to an ordered set.

Applicants respectfully assert that *reference U”* and *Ramelson et al.* fail to teach or suggest all of the elements of claims 1, 2, 6, 33 and 34 as discussed below.

Claim 1 recites, in part, that “the packet request message and the request acknowledge message each include a control bit string, an identification bit string, and at least one parity bit.” In the rejection, the Office alleges that the 6-bit source port ID field is equivalent to the identification bit string. However, the identification bit string is discussed in the instant specification at page 106, lines 30-31, and is used to identify the message. In contrast, the source port ID field is used to identify where the packet is

coming from and not used to identify the particular packet. As such, Applicants respectfully assert that the 6-bit source port ID field cannot be used to teach or suggest the identification bit string limitation in claim 1. Therefore, Applicants respectfully assert that the rejection of claim 1 is improper for failing to teach or suggest all of the elements of that claim and should be withdrawn.

Claim 2 recites, in part, that “the generated packet request message includes a request control code group and a request data code group.” In the rejection, the Office alleges that the payload field, which is between 64 to 1518 bytes in length, is equivalent to the code groups. Applicants respectfully assert that the teaching of a payload field in a packet fails to teach any specific structure or format such as a request data code group. A payload of a packet is generally the data being transported and is usually not utilized in controlling the flows of packets in network devices. As such, Applicants respectfully assert that the payload field cannot be used to teach or suggest the request control code group and the request data code group limitation in claim 2. Therefore, Applicants respectfully assert that the rejection of claim 2 is improper since “*reference U*” and *Ramelson et al.* fail to teach or suggest all of the elements of that claim and should be withdrawn.

Claim 6 recites an acknowledgement data code group and claims 33 and 34 recite ordered sets for the messages. As discussed above, the payload field of the packet disclosed in *Ramelson et al.* cannot be used to teach or suggest those elements. As such, Applicants respectfully assert that the payload field of *Ramelson et al.* cannot be used to

teach or suggest the identified elements of claims 6, 33 and 34. Therefore, Applicants respectfully assert that the rejection of claims 6, 33 and 34 is improper and should be withdrawn.

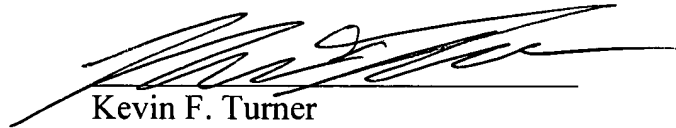
Additionally, in the rejection of claim 13, Meyer et al. is cited, but Applicants respectfully assert that Mayer et al. fails to cure the deficiencies of "*reference U*" and *Ramelson et al.* discussed above. Thus, Applicants respectfully assert that the rejection of claim 13 is improper and should be withdrawn. In view of the above, Applicants respectfully submit that claims 1, 2, 6, 10, 13, 33 and 34 each recite subject matter which is neither disclosed nor suggested in a combination of "*reference U*", *Ramelson et al.* and *Mayer et al.*

As noted previously, claims 3-5, 7-9, 11, 12, 14-32 and 35-38 were indicated as being allowed or containing allowable subject matter. It is further submitted that each of claims 1, 2, 6, 10, 13, 33 and 34 recite subject matter which is neither disclosed nor suggested in the cited prior art. It is therefore respectfully requested that all of claims 1-38 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Replacement Drawing Sheets